

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

January 20, 2004
8:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Noble, and Councilmembers Balducci, Chelminiak, Davidson, and Degginger

ABSENT: Councilmember Lee

1. Call to Order

The meeting was called to order at 8:06 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers except Mr. Lee were present. Mr. Degginger led the flag salute.

(a) Award to Accident Reduction Program

Transportation Director Goran Sparrman reported that Bellevue received one of 13 National Roadway Safety Awards in November 2003 for its Accident Reduction Program. Bellevue was selected from more than 130 nominations and was one of two cities to receive the award. Established in 1990, the program has completed 42 low-cost safety projects which have saved an estimated \$1.4 million annually in accident-related costs including property damage, medical expenses, wage and productivity losses, administrative expenses, and employer costs. Mr. Sparrman thanked Council for its ongoing support of the Accident Reduction Program and Mark Poch, Traffic Engineering Manager until this month when he became the Signal Systems Division Manager.

(b) Meydenbauer Bridge Award

Mr. Sparrman announced that Bellevue's Meydenbauer Park Bridge received an award for Outstanding Small Bridge from the National Council of Structural Engineers Association in October 2003. The City received \$2.5 million in federal funding for the bridge, which was completed for \$3.6 million and opened to traffic 33 days ahead of schedule. Mr. Sparrman

thanked TransSystems Inc., Mowatt Construction, and the Parks and Planning and Community Development Departments for their work on the project. He received notification this week that the bridge also recently received the Statewide Gold Award from the American Council of Engineering Companies.

Mr. Sparrman thanked Dave Berg, Assistant Director of Capital Projects/Design, and his staff for their work on the Meydenbauer Park Bridge. Mayor Marshall thanked residents who participated in planning the project and who have complimented staff for their work with the community.

3. Communications: Written and Oral

- (a) Joshua Schaer, Chair of Bellevue Neighborhood Network, submitted a written memo and reviewed the Network's 2004 priorities for consideration during the upcoming Council Retreat. Priorities include cut-through traffic in residential areas, the coordination of transportation planning with the City of Redmond, infrastructure compliance for new developments, group homes, home-based businesses, redevelopment of neighborhood shopping centers, neighborhood character, and communication with residents.
- (b) Joel Johanneson, President/CEO/Owner of NuMark Office Interiors, asked Council to consider modifying the furniture systems selection process for the New City Building to include NuMark and Haworth office systems. The company, whose 2003 sales exceeded \$25 million, is relocating soon to a site east of Factoria and has a proven track record.
- (c) Kenneth Sitarz, Haworth manufacturing representative, complimented SRG and City staff on the furniture systems proposal. He referenced page 39 of the evaluation report which lists recommended product lines and costs based on existing contracts with the City. Mr. Sitarz said his price structure is 5.7 percent less than any of the manufacturers listed in the recommended product lines category. Using an estimate of 800 work stations and a savings of \$200 per work station, he estimated a total savings of \$160,000 with Haworth systems. Mr. Sitarz noted that the NuMark/Haworth proposal met all manufacturing criteria presented.
- (d) Steve Thomas, Vice President of Barclay Dean, a furniture systems finalist, said the report prepared by SRG and City staff is one of the most comprehensive he has seen in 20 years. He feels the project team was fair, approachable, and responsive throughout the vendor selection process.

4. Reports of Community Councils, Boards and Commissions: None.

5. Report of the City Manager: None.

6. Council Business

Dr. Davidson attended a Probation Board meeting.

Ms. Balducci said she and Councilmember Chelminiak have participated in numerous staff briefings since elected to the Council. Ms. Balducci represented Council at a reception for Prince Somsanith, whose art was displayed in the City Hall lobby and at the Wing Luke Asian Museum recently.

Mr. Degginger and Mayor Marshall attended the Economic Development Council's *Economic Forecast Breakfast*. Mr. Degginger and Mr. Noble met with the Bridle Trails tree preservation committee. Mr. Degginger asked staff to add the committee's work as a future Study Session item. Mayor Marshall concurred and suggested the residents, rather than staff, present their findings at the meeting.

Deputy Mayor Noble attended the Bridle Trails meeting and a meeting of the Eastside Transportation Partnership.

Mr. Chelminiak represented Council at Crossroads Youth Theatre's performance in celebration of Martin Luther King, Jr. He attended a briefing on Sound Transit issues.

Mayor Marshall attended a meeting of the Sound Transit Board.

7. Approval of the Agenda

➡ Dr. Davidson moved to approve the agenda, and Mr. Noble seconded the motion.

➡ The motion to approve the agenda carried by a vote of 6-0.

8. Consent Calendar

Councilmember Balducci suggested pulling Agenda Item 8(h) for discussion.

➡ Deputy Mayor Noble moved to approve the Consent Calendar, amended to exclude item 8(h). Mr. Degginger seconded the motion.

➡ The motion to approve the Consent Calendar, as amended, carried by a vote of 6-0, and the following items were approved:

- (a) Minutes of December 8, 2003 Study Session
Minutes of December 15, 2003 Special Meeting
Minutes of January 5, 2004 Study Session
Minutes of January 5, 2004 Regular Session
Minutes of January 12, 2004 Extended Study Session
- (b) Motion to approve payment of claims for the period ending December 24, 2003, and payroll for the period of December 1 through December 15, 2003.
- (c) Motion to approve payment of claims for the period ending December 31, 2003, and payroll for the period of December 16 through December 31, 2003.

- (d) Resolution No. 6950 authorizing a one-year (2004) labor agreement by and between the City of Bellevue and the International Brotherhood of Electrical Workers (IBEW) Local Union No. 77 (representing signal and electronic workers).
- (e) Motion to award Bid No. 0326 for safety and lighting improvements to 102nd Avenue NE between NE 8th Street and NE 10th Street, to Signal Electric as low bidder in the amount of \$51,741. (CIP Plan No. PW-M-2, Minor Capital)
- (f) Ordinance No. 5507 authorizing execution of a grant agreement (and any necessary supplements) with the Transportation Improvement Board (TIB) for the acceptance of state Transportation Partnership Program (TPP) funds awarded to the 148th Avenue SE Roadway Improvements project. (CIP Plan No. PW-R-117)
- (g) Resolution No. 6951 adopting the City of Bellevue's 2004-2009 Transportation Improvement Program (TIP).
- (i) Ordinance No. 5509 authorizing execution of a grant agreement (and any necessary supplements) with the Transportation Improvement Board (TIB) for the acceptance of state Pedestrian Safety and Mobility Program (PSMP) funds awarded to the 164th Avenue NE sidewalk project and to amend the 2003-2009 CIP and the budget for the 164th Avenue NE sidewalk project. (CIP Plan No. PW-WB-66)
- (j) Resolution No. 6952 authorizing execution of an Interlocal Agreement for purchase of water supply, system improvements, and maintenance and operations between King County Water District No. 1 and the City of Bellevue.
(Discussed with Council on January 12, 2004.)

Item for Council Discussion:

- (h) Ordinance No. 5508 amending the 2001-2007 Capital Investment Program (CIP) Plan by increasing the fund appropriation by \$64,000 for the Richards Road, SE 26th Street to Lake Hills Connector, project (CIP Plan No. PW-R-79) to reflect revenue received from Comcast and Qwest for franchise utility work and to increase the budget for Richards Road, SE 26th Street to Lake Hills Connector, and to decrease the budget for 140th Avenue project.

Responding to Councilmember Balducci, Transportation Assistant Director Dave Berg provided an update on the Richards Road project. Agenda Item 8(h) requests Council action to: 1) accept \$64,000 in revenue from two franchise utilities as partial payment for work performed on their behalf by the City, and 2) increase the project budget by \$289,000. Mr. Berg said the project is complete and provides five lanes for most of the roadway, curb, gutter, sidewalk, bike lanes, a traffic signal, and storm water detention/water quality facilities. The total project budget is \$10.3 million. The original construction contract was awarded in July 2001 for \$5.4 million. Council

approved change orders in August 2002 reflecting added costs related to U.S. Corps of Engineers' wetland permit requirements.

Mr. Berg said the final contract amount is 5.9 percent over the Council-authorized contract amount. The final project budget is \$289,000 above the existing project budget. Mr. Berg attributed additional cost increases since August 2002 to the need for additional materials, expansion of a retaining wall, additional paving work, and delays by Qwest in undergrounding its facilities.

Ms. Balducci thanked staff for the report.

Responding to Mr. Degginger, Mr. Berg said staff will keep Council informed regarding the City's efforts to recover delay-related expenses from Qwest.

- ➡ Deputy Mayor Noble moved to adopt Ordinance No. 5508, and Dr. Davidson seconded the motion.

Dr. Davidson is glad the project is complete and commended staff on the improved roadway.

Mayor Marshall asked staff to also provide an update on efforts regarding Qwest and Cougar Mountain Way.

- ➡ The motion to adopt Ordinance No. 5508 carried by a vote of 6-0.

9. Public Hearings

(a) Annexation of the Tax Lots/Cougar Ridge Site

Ordinance No. 5510 annexing to the City of Bellevue an approximately 51-acre area known as the Tax Lots/Cougar Ridge annexation, located east of 166th Avenue SE and south of the Pinnacle development in the Newcastle Subarea, by Direct Petition under 2003 Washington laws Chapter 331 §§ 10 (Chapter 35A.14 RCW). *[Establishment of R-1.8 preannexation zoning (Ordinance No. 5470) and a related Development Agreement (Resolution No. 6905) were approved by Council on September 22, 2003, by a vote of 6-0, with Councilmember Lee absent.]*

Nicholas Matz, Senior Planner, recalled that Council voted in September to accept the Notice of Intent to Petition under the newly revised method of annexation made available by the State Legislature in 2003. The petition was validated by King County and the City submitted its Notice of Intent to Annex to the Boundary Review Board, which did not request a hearing on the annexation. The Board approved the request in December 2003 and the matter is now before Council for final approval of the annexation.

- ➡ Deputy Mayor Noble moved to open the public hearing, and Dr. Davidson seconded the motion.

- ➡ The motion to open the public hearing carried by a vote of 6-0.

No one came forward to comment on the annexation proposal.

- ➡ Councilmember Degginger moved to close the public hearing, and Mr. Noble seconded the motion.

- ➡ The motion to close the public hearing carried by a vote of 6-0.

Mayor Marshall expressed concern regarding a group of threatening letters to Councilmembers in reference to this issue. She also received threatening voicemail messages by callers who did not leave their names. Mrs. Marshall explained that Council has worked carefully with the community to resolve this difficult matter. While citizens have the right to initiate such communications, as an elected official she does not appreciate them.

- ➡ Dr. Davidson moved to adopt Ordinance No. 5510, and Mr. Noble seconded the motion.

Deputy Mayor Noble concurred with the mayor's comments regarding the threats, which he said almost made him want to vote against the annexation.

- ➡ The motion to adopt Ordinance No. 5510 carried by a vote of 6-0.

Mr. Degginger thanked City staff for involving residents early in the annexation process.

Mayor Marshall said she is disappointed by disparaging comments about Planning and Community Development Director Matt Terry in one of the letters because he does an excellent, professional job for the City and its residents.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Resolution No. 6953 approving amendments to the Major Public Open Space Design Plan for the intersection of 110th Avenue NE and NE 6th Street (adjacent to the Pedestrian Corridor) and the Pedestrian Corridor and Major Open Space Design Guidelines. (*Discussed with Council on January 5, 2004.*)

Carol Helland, Land Use Director, recalled Council discussion during the January 5 Study Session of proposed amendments to the Major Public Open Space Design Plan for the intersection of 110th Avenue NE and NE 6th Street (adjacent to the Pedestrian Corridor) and the Pedestrian Corridor and Major Open Space Design Guidelines. Ms. Helland requested Council approval of the Design Plan and Guidelines.

- ➡ Deputy Mayor Noble moved to approve Resolution No. 6953, and Mr. Chelminiak seconded the motion.

➡ The motion to approve Resolution No. 6953 carried by a vote of 6-0.

12. Unfinished Business: None.

13. Continued Oral Communications

(a) Bob Johns, attorney for the Tax Lots owners, clarified that he and his clients did not have anything to do with the threatening communications to Council. He has requested copies of the letters from the City and intends to contact the individuals regarding this inappropriate show of support. He is sorry the Tax Lots annexation effort initiated this type of negative communication to the City.

14. New Business: None.

15. Executive Session

At 8:55 p.m., Mayor Marshall declared recess to Executive Session to discuss a personnel matter.

16. Adjournment

At 10:20 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich
City Clerk

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